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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Heaton, et al.  
Serial No.: 09/915,805  
Filed: 07/26/2001  
Group Art Unit: 3683  
Examiner: Torres, Melanie  
Title: SPRING APPLIED ELECTRONIC RELEASE  
PARKING BRAKE

**APPEAL BRIEF**

Mail Stop Appeal Brief - Patents  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Applicant filed a Notice of Appeal on January 10, 2005. Appellant now submits its brief in this matter.

Applicant previously submitted an Appeal Brief on June 3, 2003, along with fees for this matter. It is therefore believed that additional fees are not required. If any additional fees are necessary, you are hereby authorized to charge deposit account number 50-1482 in the name of Carlson, Gaskey & Olds.

**Introduction**

The §103 rejection that is the subject of this appeal must be reversed because there is no *prima facie* case of obviousness. There is no motivation for making the combination proposed by the Examiner because there is no benefit provided by the combination. Therefore, the combination cannot be made. Further, the Examiner asserts that the cited references have